IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NEBRASKA

UN	IITED STATES OF AMERICA)		
	Plaintiff,) 8:05CR428)		
	vs.) DETENTION ORDER		
MI	COLEEN L. CRANE,			
	Defendant.)		
A.	Order For Detention After conducting a detention hearing purs Reform Act on December 27, 2005, the Conduction detained pursuant to 18 U.S.C. § 3142(e) a	Court orders the above-named defendant		
B.	The Court orders the defendant's detention because it finds: X By a preponderance of the evidence that no condition or combination of conditions will reasonably assure the appearance of the defendant as required. X By clear and convincing evidence that no condition or combination of conditions will reasonably assure the safety of any other person or the community.			
C.	grams of "crack" cocair carries a minimum sen maximum of forty years i (b) The offense is a crime of (c) The offense involves a n	es Report, and includes the following: e offense charged: ion with intent to distribute in excess of 5 ne in violation of 21 U.S.C. § 841(a)(1) tence of five years imprisonment and a mprisonment. f violence.		
	may affect wheth The defendant h X The defendant h X The defendant h The defendant is The defendant ties. Past conduct of X The defendant h The defendant h The defendant h The defendant h	of the defendant including: appears to have a mental condition which her the defendant will appear. has no family ties in the area. has no steady employment. has no substantial financial resources. Is not a long time resident of the community. does not have any significant community. the defendant: has a history relating to drug abuse. has a history relating to alcohol abuse. has a significant prior criminal record. has a prior record of failure to appear at		

DETENTION ORDER - Page 2

	(b)	Pro	of the current arrest, the defendant was on: bbation
		Re	role lease pending trial, sentence, appeal or completion of nation tence.
	(c)	Other Factor	ors: e defendant is an illegal alien and is subject to
		dep	portation.
			e defendant is a legal alien and will be subject to portation if convicted.
		The	e Bureau of Immigration and Custom Enforcement CE) has placed a detainer with the U.S. Marshal. ner:
X (4)	The r	nature and	seriousness of the danger posed by the defendant's
(+)	releas defen	se are as foll dant's substa	lows: The nature of the charges in the Indictment, the ance abuse history, and the circumstances of her arrest residence on October 26, 2005.
X (5)	Rebu	ttable Presu	<u>imptions</u>
, ,	In dete	ermining that e following i	the defendant should be detained, the Court also relied rebuttable presumption(s) contained in 18 U.S.C. § Court finds the defendant has not rebutted:
_X		That no co	ondition or combination of conditions will reasonably
			appearance of the defendant as required and the safety person and the community because the Court finds that
		the crime in	
			A crime of violence; or
		(2)	An offense for which the maximum penalty is life imprisonment or death; or
		<u>X</u> (3)	A controlled substance violation which has a maximum
		(4)	penalty of 10 years or more; or
		(4)	A felony after the defendant had been convicted of two or more prior offenses described in (1) through (3)
			above, and the defendant has a prior conviction for
			one of the crimes mentioned in (1) through (3) above
			which is less than five years old and which was
X	(h)	That no co	committed while the defendant was on pretrial release. Indition or combination of conditions will reasonably
	(D)		appearance of the defendant as required and the safety
		of the com	munity because the Court finds that there is probable
		cause to be	
		<u>X</u> (1)	That the defendant has committed a controlled substance violation which has a maximum penalty of
			10 years or more.
		(2)	That the defendant has committed an offense under 18
			U.S.C. § 924(c) (uses or carries a firearm during and
			in relation to any crime of violence, including a crime of violence, which provides for an enhanced
			punishment if committed by the use of a deadly or
			dangerous weapon or device).

DETENTION ORDER - Page 3

Pursuant to 18 U.S.C. § 3142(i)(2)-(4), the Court directs that:

- The defendant be committed to the custody of the Attorney General for confinement in a corrections facility separate, to the extent practicable from persons awaiting or serving sentences or being held in custody pending appeal; and
- The defendant be afforded reasonable opportunity for private consultation with counsel; and
- 3. That, on order of a court of the United States, or on request of an attorney for the government, the person in charge of the corrections facility in which the defendant is confined deliver the defendant to a United States Marshal for the purpose of an appearance in connection with a court proceeding.
- 4. Pretrial Services shall obtain a substance abuse treatment evaluation of the defendant and submit such a report to the court with copies to counsel.

DATED: December 27, 2005.

BY THE COURT:

s/ Thomas D. Thalken United States Magistrate Judge